

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
KAMOLPORN LUMMAYOS, as Parent and Guardian of :
R.L. *et al.*, :

Plaintiffs, :

-v- :

DAVID C. BANKS, in His Official Capacity as :
Chancellor of the New York Department of Education *et* :
al., :

Defendants. :

23 Civ. 5802 (JPC)

ORDER

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JOHN P. CRONAN, United States District Judge:

In light of the parties' agreement that all remaining claims in this action are moot, Dkt. 35, the Court dismisses this case without prejudice for lack of subject matter jurisdiction. *See Hernandez v. Conriv Realty Assocs.*, 182 F.3d 121, 123 (2d Cir. 1999) ("Article III deprives federal courts of the power to dismiss a case with prejudice where federal subject matter jurisdiction does not exist."). The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Date: November 24, 2023
New York, New York



JOHN P. CRONAN
United States District Judge